

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Social Welfare Department – Land Acquisition for House Sites – Anantapur District – Dharmavaram Village and Mandal - Land Acquired for provision of house sites to the weaker section people – Sanction of Rs.13,97,516/- towards balance decretal charges in LAOP No.88/97 – Orders- Issued.

SOCIAL WELFARE (LA.2) DEPARTMENT

G.O Rt.No. 300

Dated: 02.05.2014

Read the following

1. From the District Collector, Anantapur Lr.No.G5/521/1985, dated 02.01.2010.
2. From the Commissioner of Social Welfare, A.P., Hyderabad, Lr.No.LA4/7069/2001, dt.17.02.2010.
3. From the CCLA, A.P., Hyderabad Lr.No.G4/365/2010, dated 02.8.2011 and 13.12.2013.
4. Govt Memo. No. 11840/SW.LA-2/2011-1, dated 28.10.2011.
5. G.O Ms.No.74, Finance (BG.I) Deptt dated 01.04.2014

ORDER:

In the reference 3rd read above, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has informed that the LAO/RDO, Dharmavaram has acquired land to an extent of Ac.8.32 Cts in Sy.No.493-2, situated at Dharmavaram Village & Mandal of Anantapur District for providing house sites to B.Cs and EBCs vide Award No.1/92 dt 20.04.1992 duly fixing the market value @ Rs.4.00 Lakhs per acre. The District Collector, Anantapur has submitted proposals for sanction of Rs. 22,77,037/- in OP No.88/97, towards payment of the decretal charges for the lands acquired to an extent of Ac.8.32 Cts in Sy.No.493-2 situated at Dharmavaram Village & Mandal of Anantapur District for providing house sites to B.Cs and EBCs.

2. After verification and scrutiny of the proposals submitted by the Commissioner Social Welfare, A.P., Hyderabad/Dist Collector, Anantapur, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has sent the comparative calculation sheet for sanction of Rs.13,08,791/-, with a difference of Rs.9,68,246/- less, towards payment of decretal charges in O.P.No.88/97, for the land acquired to an extent of Ac.8.32 in Sy.No.493-2, situated at Dharmavaram Village & Mandal of Anantapur for providing house sites to the weaker sections. Govt vide Memo 4th read above has requested the Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad to furnish how the difference of Rs. 9,68,246/- arose between the calculations of the District Collector, Anantapur and the Chief Commissioner of Land Administration, A.P., Hyderabad. The Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad vide their Lr dated 13.12.2013 has stated that “As per the judgement of the Hon’ble Sr. Civil Judge, Penukonda in OP.No :88/1997 dt :10.11.2000, the calculation sheet has been prepared and submitted. At the time of preparing of calculation sheet the interest was calculated on all the balance amount (i.e land value, solatium, Addl Market Value and interest 9% & 15%) by over sight. The Chief Commissioner of Land Administration, A.P., Hyderabad has calculated interest only on land value, which is correct as per the orders of the Sr. Civil Judge, Penukonda in OP. No : 88/97. Hence the difference is occurred”. With regard to Opinion of the Government Pleader for Appeals, High Court of AP Hyderabad dated 31.03.2010, the Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has clarified that ‘The Government Pleader who was asked to give his opinion on the orders of the Sr. Civil Judge, Penukonda in OP. No: 88/97 in Lr. OP. No : 88/1997/MMR/ 2012, Dt : 23.04.2012 has given his opinion that the order of the reference court has become final, in as much as there is no appeal filed against the order of the reference court and to pay the interest as per the Act from the date of possession till the date of payment. The Special Chief Secretary and Chief

PTO

Commissioner of Land Administration, A.P., Hyderabad has further stated that, the District Collector, Anantapur has furnished a fresh calculation sheet upto 30.06.2012 and requested to sanction the decretal charges for an amount of Rs. 13,98,949/- in L.A.O.P No.88/1997.

3. After verification and scrutiny of proposals of the District Collector, Anantapur/ Commissioner of Social Welfare, Hyderabad, the Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has sent the comparative calculation sheet for sanction of an amount of Rs. 13,97,516/- (Rupees thirteen lakhs ninety seven thousand five hundred and sixteen only) towards decretal charges in LAOP No : 88/1997 in respect o the lands acquired in Sy. No : 439-2, etc., to an extent of Ac. 8-32 Cts (38.1% of the land used for public purpose) situated at Dharmavaram Village and Mandal of Ananthapur District for providing house sites to the BCs and EBCs.

4. Government, after careful examination of the above proposal, hereby accord permission to the Commissioner of Social Welfare, A.P., Hyderabad for release an amount of Rs. 13,97,516/- (Rupees thirteen lakhs ninety seven thousand five hundred and sixteen only) to the District Collector, Anantapur towards payment of decretal charges in LAOP No : 88/1997 in respect of the lands acquired in Sy. No. 493-2 etc., to an extent of Ac. 8-32 Cts situated at Dharmavaram Village and Mandal of Ananthapur District for providing house sites to the BCs and EBCs.

5. The expenditure sanctioned in para (4) above shall be met within the Budget 2014-15 (Vote on Account) and debited to the following Head of Account:

“2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grant – in – Aid”.

6. The Commissioner of Social Welfare, A.P., Hyderabad is directed to issue necessary proceedings to the District Collector, Anantapur to comply with the Court orders in OP No.88/97.

7. The District Collector, Anantapur shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of the proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

8. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions vide U.O Note No.12869/196/A1/Expr.SW/2009 dated 22.05.2009 and U.O No. 15926/256/A1/1/Expr.SW/09, dated 17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.S. RAWAT
SECRETARY TO GOVERNMENT(SW)

To

The Spl Chief Secretary & Chief Commissioner of Land Administration, A.P.,
Hyderabad

The Commissioner of Social Welfare, A.P., Hyderabad,
The District Collector, Anantapur

Copy to:

The Director of Treasury & Accounts, A.P., Hyderabad,

The Accountant General, A.P., Hyderabad,

The District Treasury Officer, Anantapur District.

Finance (Exp.SW/BG) Department

SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER